

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**CIVIL CASE NO. 3:08cv361**

**MARIE TALLEY,**

**Plaintiff,**

**vs.**

**NOVARTIS PHARMACEUTICALS  
CORPORATION,**

**Defendant.**

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**ORDER**

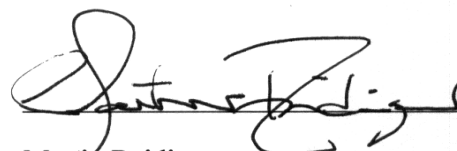
**THIS MATTER** is before the Court on the Order [Doc. 8] of United States District Court Judge Todd J. Campbell, filed August 5, 2008.

Judge Campbell severed this action and this Plaintiff from other similar cases that were pending before him pursuant to the orders of the Judicial Panel on Multidistrict Litigation, and transferred this matter back to this District at the conclusion of multi-district litigation discovery in the Middle District of Tennessee. Contained within Judge Campbell's Order is a suggestion that the "parties should consider petitioning the Judicial Panel on Multidistrict Litigation, pursuant to 28 U.S.C. §1407, to transfer the case

to this Court for coordinated or consolidated pretrial proceedings.” [Id.].

In light of this direct suggestion from the Judge who has transferred this case back to this Court, the Court will require the parties to advise whether they intend to seek such re-transfer of the case to the Middle district of Tennessee or whether a case management plan should be entered in this matter by this Court.

**IT IS, THEREFORE, ORDERED** that on or before August 28, 2008, the parties shall advise the Court in writing whether they intend to petition the Judicial Panel on Multidistrict Litigation, pursuant to 28 U.S.C. §1407, to transfer the case to the Middle District of Tennessee or such other District Court for coordinated or consolidated pretrial proceedings, or whether the parties seek for this Court to enter a Case Management Order.

  
Martin Reidinger  
United States District Judge



Signed: August 13, 2008